

105TH CONGRESS
1ST SESSION

S. 1417

AN ACT

To provide for the design, construction, furnishing and equipping of a Center for Performing Arts within the complex known as the New Mexico Hispanic Cultural Center and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hispanic Cultural Cen-
5 ter Act of 1997”.

1 **SEC. 2. CONSTRUCTION OF A CENTER FOR PERFORMING**
2 **ARTS.**

3 (a) FINDINGS.—Congress makes the following find-
4 ings:

5 (1) The United States has an enriched legacy
6 of Hispanic influence in politics, government, eco-
7 nomic development, and cultural expression.

8 (2) The Hispanic culture in what is now the
9 United States can be traced to 1528 when a Spanish
10 expedition from Cuba to Florida was shipwrecked on
11 the Texas coast.

12 (3) The Hispanic culture in New Mexico can be
13 traced to 1539 when a Spanish Franciscan Friar,
14 Marcos de Niza, and his guide, Estevanico, traveled
15 into present day New Mexico in search of the fabled
16 city of Cibola and made contact with the people of
17 Zuni.

18 (4) The Hispanic influence in New Mexico is
19 particularly dominant and a part of daily living for
20 all the citizens of New Mexico, who are a diverse
21 composite of racial, ethnic, and cultural peoples.
22 Don Juan de Onate and the first New Mexican fam-
23 ilies established the first capital in the United
24 States, San Juan de los Caballeros, in July of 1598.

25 (5) Based on the 1990 census, there are ap-
26 proximately 650,000 Hispanics in New Mexico, the

1 majority having roots reaching back ten or more
2 generations.

3 (6) There are an additional 200,000 Hispanics
4 living outside of New Mexico with roots in New Mex-
5 ico.

6 (7) The New Mexico Hispanic Cultural Center
7 is a living tribute to the Hispanic experience and will
8 provide all citizens of New Mexico, the Southwestern
9 United States, the entire United States, and around
10 the world, an opportunity to learn about, partake in,
11 and enjoy the unique Hispanic culture, and the New
12 Mexico Hispanic Cultural Center will assure that
13 this 400-year old culture is preserved.

14 (8) The New Mexico Hispanic Cultural Center
15 will teach, showcase, and share all facets of Hispanic
16 culture, including literature, performing arts, visual
17 arts, culinary arts, and language arts.

18 (9) The New Mexico Hispanic Cultural Center
19 will promote a better cross-cultural understanding of
20 the Hispanic culture and the contributions of indi-
21 viduals to the society in which we all live.

22 (10) In 1993, the legislature and Governor of
23 New Mexico created the Hispanic Cultural Division
24 as a division within the Office of Cultural Affairs.
25 One of the principal responsibilities of the Hispanic

1 Cultural Division is to oversee the planning, con-
2 struction, and operation of the New Mexico Hispanic
3 Cultural Center.

4 (11) The mission of the New Mexico Hispanic
5 Cultural Center is to create a greater appreciation
6 and understanding of Hispanic culture.

7 (12) The New Mexico Hispanic Cultural Center
8 will serve as a local, regional, national, and inter-
9 national site for the study and advancement of His-
10 panic culture, expressing both the rich history and
11 the forward-looking aspirations of Hispanics
12 throughout the world.

13 (13) The New Mexico Hispanic Cultural Center
14 will be a Hispanic arts and humanities showcase to
15 display the works of national and international art-
16 ists, and to provide a venue for educators, scholars,
17 artists, children, elders, and the general public.

18 (14) The New Mexico Hispanic Cultural Center
19 will provide a venue for presenting the historic and
20 contemporary representations and achievements of
21 the Hispanic culture.

22 (15) The New Mexico Hispanic Cultural Center
23 will sponsor arts and humanities programs, includ-
24 ing programs related to visual arts of all forms (in-
25 cluding drama, dance, and traditional and contem-

porary music), research, literary arts, genealogy, oral history, publications, and special events such as, fiestas, culinary arts demonstrations, film video productions, storytelling presentations and education programs.

(16) Phase I of the New Mexico Hispanic Cultural Center complex is scheduled to be completed by August of 1998 and is planned to consist of an art gallery with exhibition space and a museum, administrative offices, a restaurant, a ballroom, a gift shop, an amphitheater, a research and literary arts center, and other components.

(17) Phase II of the New Mexico Hispanic Cultural Center complex is planned to include a performing arts center (containing a 700-seat theater, a stage house, and a 300-seat film/video theater), a 150-seat black box theater, an art studio building, a culinary arts building, and a research and literary arts building.

(18) It is appropriate for the Federal Government to share in the cost of constructing the New Mexico Hispanic Cultural Center because Congress recognizes that the New Mexico Hispanic Cultural Center has the potential to be a premier facility for

1 performing arts and a national repository for His-
2 panic arts and culture.

3 (b) DEFINITIONS.—In this section:

4 (1) CENTER.—The term “Center” means the
5 Center for Performing Arts, within the complex
6 known as the New Mexico Hispanic Cultural Center,
7 which Center for the Performing Arts is a central
8 facility in Phase II of the New Mexico Hispanic Cul-
9 tural Center complex.

10 (2) HISPANIC CULTURAL DIVISION.—The term
11 “Hispanic Cultural Division” means the Hispanic
12 Cultural Division of the Office of Cultural Affairs of
13 the State of New Mexico.

14 (3) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

16 (c) CONSTRUCTION OF CENTER.—The Secretary
17 shall award a grant to New Mexico to pay for the Federal
18 share of the costs of the design, construction, furnishing,
19 and equipping of the Center for Performing Arts that will
20 be located at a site to be determined by the Hispanic Cul-
21 tural Division, within the complex known as the New Mex-
22 ico Hispanic Cultural Center.

23 (d) GRANT REQUIREMENTS.—

24 (1) IN GENERAL.—In order to receive a grant
25 awarded under subsection (c), New Mexico, acting

1 through the Director of the Hispanic Cultural Divi-
2 sion—

3 (A) shall submit to the Secretary, within
4 30 days of the date of enactment of this sec-
5 tion, a copy of the New Mexico Hispanic Cul-
6 tural Center Program document dated January
7 1996; and

8 (B) shall exercise due diligence to expedi-
9 tiously execute, in a period not to exceed 90
10 days after the date of enactment of this section,
11 the memorandum of understanding under para-
12 graph (2) recognizing that time is of the es-
13 sence for the construction of the Center because
14 1998 marks the 400th anniversary of the first
15 permanent Spanish settlement in New Mexico.

16 (2) MEMORANDUM OF UNDERSTANDING.—The
17 memorandum of understanding described in para-
18 graph (1) shall provide—

19 (A) the date of completion of the construc-
20 tion of the Center;

21 (B) that Antoine Predock, an internation-
22 ally recognized architect, shall be the super-
23 vising architect for the construction of the Cen-
24 ter or any other architect subsequently named
25 by the State;

1 (C) that the Director of the Hispanic Cul-
2 tural Division shall award the contract for ar-
3 chitectural engineering and design services in
4 accordance with the New Mexico Procurement
5 Code; and

6 (D) that the contract for the construction
7 of the Center—

8 (i) shall be awarded pursuant to a
9 competitive bidding process; and

10 (ii) shall be awarded not later than 3
11 months after the solicitation for bids for
12 the construction of the Center.

13 (3) FEDERAL SHARE.—The Federal share of
14 the costs described in subsection (c) shall be 50 per-
15 cent.

16 (4) NON-FEDERAL SHARE.—The non-Federal
17 share of the costs described in subsection (c) shall
18 be in cash or in kind fairly evaluated, including
19 plant, equipment, or services. The non-Federal share
20 shall include any contribution received by New Mex-
21 ico for the design, construction, furnishing, or equip-
22 ping of Phase I or Phase II of the New Mexico His-
23 panic Cultural Center complex prior to the date of
24 enactment of this section. The non-Federal share of

1 the costs described in subsection (c) shall include the
2 following:

3 (A) \$16,410,000 that was appropriated by
4 the New Mexico legislature since January 1,
5 1993, for the planning, property acquisition, de-
6 sign, construction, furnishing, and equipping of
7 the New Mexico Hispanic Cultural Center com-
8 plex.

9 (B) \$116,000 that was appropriated by the
10 New Mexico legislature for fiscal year 1995 for
11 the startup and operating expenses of the New
12 Mexico Hispanic Cultural Center.

13 (C) \$226,000 that was appropriated by the
14 New Mexico legislature for fiscal year 1996 for
15 the startup and operating expenses of the New
16 Mexico Hispanic Cultural Center.

17 (D) \$442,000 that was appropriated by
18 the New Mexico legislature for fiscal year 1997
19 for the startup and operating expenses of the
20 New Mexico Hispanic Cultural Center.

21 (E) \$551,000 that was appropriated by the
22 New Mexico legislature for fiscal year 1998 for
23 the startup and operating expenses of the New
24 Mexico Hispanic Cultural Center.

1 (F) A 10.9-acre lot with a historic 22,000
2 square foot building donated by the Mayor and
3 City Council of Albuquerque, New Mexico, to
4 New Mexico for the New Mexico Hispanic Cul-
5 tural Center.

6 (G) 12 acres of “Bosque” land adjacent to
7 the New Mexico Hispanic Cultural Center com-
8 plex for use by the New Mexico Hispanic Cul-
9 tural Center.

10 (H) The \$30,000 donation by the Sandia
11 National Laboratories and Lockheed Martin
12 Corporation to support the New Mexico His-
13 panic Cultural Center and the program activi-
14 ties of the New Mexico Hispanic Cultural Cen-
15 ter.

16 (e) USE OF FUNDS FOR DESIGN, CONSTRUCTION,
17 FURNISHING, AND EQUIPMENT.—The funds received
18 under a grant awarded under subsection (c) shall be used
19 only for the design, construction, management, inspection,
20 furnishing, and equipment of the Center.

21 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated to the Secretary to carry
23 out this section a total of \$17,800,000 for fiscal year 1998
24 and succeeding fiscal years. Funds appropriated pursuant

- 1 to the authority of the preceding sentence shall remain
- 2 available until expended.

Passed the Senate November 7, 1997.

Attest:

Secretary.

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